

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:	10/055,279	Conf. No.:	6772
Filing Date:	01/22/2002	Art Unit:	2655
Applicants:	Byrd <i>et al.</i>	Examiner:	Vo, Huyen X.
Title:	SYSTEM AND METHOD FOR HYBRID TEXT MINING FOR FINDING ABBREVIATIONS AND THEIR DEFINITIONS	Docket No.:	YOR920010750US1 (IBMY-0042)

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Commissioner for Patents
P.O. Box 1450
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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

Applicants respectfully request a panel of experienced examiners perform a detailed review of appealable issues for the above-identified patent application pursuant to the Pre-Appeal Brief Conference Pilot Program. Applicants submit that the above-identified application is not in condition for appeal because the Office has failed to establish a *prima facie* case of obviousness based on an error in facts. Claims 1-22 are pending in this application.

Turning to the rejection, in the final Office Action, claims 1-22 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,701,345 (Malsheen). Applicants submit that this rejection is clearly not proper and without basis because at least one claim limitation is not met by the Malsheen reference. As argued in the December 29, 2005 Amendment, Malsheen fails to teach or suggest each and every element of independent claim 1. In particular, Malsheen fails to disclose an abbreviation pattern generation process that generates

one or more abbreviation patterns corresponding to candidate abbreviations. Page 9. The relevant portion of the passage in Malsheen cited by the Office recites:

Any word not processed by the Number Expander and not found in the table of frequently occurring unambiguous words is next processed by looking it up in the abbreviations translation table 14ing unambiguous words is next processed by looking it up in the abbreviations translation table 146 (step 210). Each record in the abbreviations translation table 146 has the following three fields:

keyword, expansion value, rule type

where “keyword” is an abbreviation value, “expansion value” is a potential full word expansion of the abbreviation value, and “rule type” is a reference to which of the abbreviation expansion procedures 148 is to be executed (212) to determine whether or not the expansion value should be used. Col. 7, line 63 through col. 8, line 7.

Interpreting Malsheen solely for the purpose of this paper, the keyword, expansion value, and rule type of Malsheen are looked up in an abbreviations translation table. Thus, to the extent that the Office equates the entries of the precompiled abbreviation-definition table of Malsheen with the one or more abbreviation patterns of the claimed invention, the entries of Malsheen are not generated but instead are simply looked up from a pre-existing source.

The Office in its Final Office Action states that “...nowhere in the claim language specifically indicates not to use precompiled abbreviation-definition dictionary to find abbreviation-definition matches.” Page 2, Response to Arguments. In response, Applicants respectfully submit that use by the abbreviation pattern generation process of the claimed invention of a precompiled abbreviation-definition dictionary, such as the one in which the records of Malsheen are stored, is abrogated by the language of the claim in which the one or more abbreviation patterns is generated, and not merely looked up. This fact that the one or more abbreviation patterns is generated pre-supposes that the patterns are not merely looked up in a lookup table. Accordingly, Malsheen does not teach the generating of the one or more abbreviation patterns of the claimed invention. Using the same rationale, the Office’s argument,

citing the same passage, that Malsheen teaches generating one or more definition patterns is also flawed.

Accordingly, the Office has failed to state a *prima facie* case of anticipation, and this application is not in condition for appeal and should either be allowed as is, or re-opened for further prosecution.

With respect to the rejections of independent claims 21 and 22, Applicants note that each claim includes features similar in scope to those mentioned herein with respect to claim 1. Further, the Office relies on the same arguments and interpretations of Malsheen as discussed above with respect to claim 1. To this extent, Applicants herein incorporate the arguments presented above with respect to claim 1, and respectfully request withdrawal of the rejections of these claims for the above-stated reasons.

Claims 2-20 are dependent upon claim 1. The dependent claims are believed to be allowable based on the above arguments, as well as for their own additional features.

Applicants respectfully submit that the application is not in condition for appeal. Should the examining panel believe that anything further is necessary to place the application in better condition for allowance or for appeal, they are requested to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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